

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
TIERRA L. LEE,)
)
Defendant.)

4:07cr3126-001

**MEMORANDUM
AND ORDER**

The defendant has tendered for filing a motion that I construe as seeking a reduction of sentence pursuant to the retroactive amendments to the “crack” Guidelines. The Court has developed procedures to deal with such a motion. Therefore,

1. The clerk shall file the motion tendered by the defendant and it shall be treated as a motion for an order modifying sentence pursuant to 18 U.S.C. § 3582(c)(2). Pursuant to the court’s General Order 2008-02, the Federal Public Defender is herewith appointed to represent the defendant. The clerk’s office shall provide the defendant with a copy of this order.
2. No later than October 4, 2010, the probation office shall provide the undersigned *and* counsel of record with a “Retroactive Sentencing Worksheet.” If the officer requires additional time, a request may be made to the undersigned by e-mail. The clerk’s office shall provide the Probation Office with a copy of this order.
3. No later than October 20, 2010, counsel of record shall confer and do one of the following:

- A. File a stipulation containing the following provisions: (i) an agreement that the defendant is eligible for a sentence reduction pursuant to 18 U.S.C. § 3582(c) and U.S.S.G. § 1B1.10; (ii) an agreement that the defendant may be resentenced without being present and without further notice; and (iii) an agreement regarding the recommended sentence.
- B. In lieu of the stipulation provided in paragraph A, counsel for the government shall contact my judicial assistant and arrange a telephone conference with the undersigned and counsel for the defendant so that further progression of this case may be scheduled.

Dated August 16, 2010.

BY THE COURT

s/ Warren K. Urbom
United States Senior District Judge